

In the United States District Court
Southern District of West Virginia

Parkersburg

William Cunningham
Plaintiff

V

Civil Action 6:07-0101

Vincent K and Linda E McMahon
Defendants
& WWE Inc.

Complaint

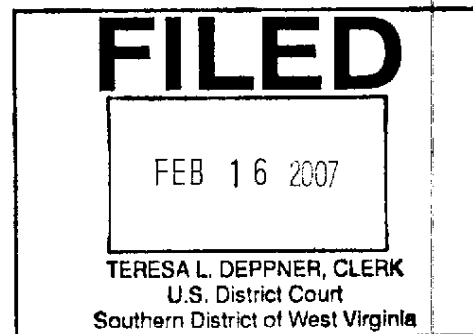
This matter concerns the defendants Vincent K and Linda E McMahon husband and wife in their official capacities as Chairman of the board of directors and CEO of World Wrestling Entertainment ("WWE") respectively. The complaint brings into question the "Free use" doctrine of the copyright act. The plaintiff in 2006 downloaded the theme music of the superstar "Maria Kanellis". The McMahons employ on their website wwe.com a technology called Digital Rights Management ("DRM"). The cost of the download was only \$.99 and the plaintiff could play the music whenever he chose, however often he chose. However several problems occurred and they are related to DRM.

DRM violates the constitutional rights of anyone who is the recipient of DRM media. When the music was downloaded licenses (special software) was placed on the plaintiff's computer allowing him to only use this media on his computer. If he wanted it on another computer he would have to re-purchase the media content. The Free use doctrine of the copyright act allows this sharing between individuals. DRM prevents it.

The owner or purchaser of media (including books) can give or distribute or copy for himself or others copyrighted content if-

- a) He makes no profit on the copyrighted material and
- b) He gives full credit to the author or creator of the media

The plaintiff considers DRM licenses to be spyware and information he would want wiped from his computer. After several plays of the theme music the music ceased to play and a screen asking if the plaintiff would like to purchase the media again came onto the screen. DRM reports to the owner of the digital content usage information and gives the media provider complete control of purchased copyrighted content.

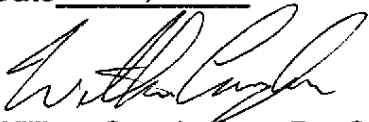


If one were to purchase a book and give it to someone that isn't copyright violation. DRM infringes on this right. Only content is to be played on one machine and can't be given to someone else. There may even be a limit to how many times one can use the content. The plaintiff was told by WWE that he had unlimited use of the music and in fact did not.

This type of digital media prevents someone from simply sharing with others and is based in greed.

The relief the plaintiff requests is that this court review DRM and its policies and see if it is illegal by infringing on citizens rights in accordance with federal statutory and constitutional law. And the polices of WWE and DRM. The plaintiff has been injured by this technology as have many people. DRM should be declared unconstitutional if it does indeed violate the US Constitution and free use rights. The plaintiff will file more information about DRM before or shortly after the defendant's answer.

Date 2-17-07


William Cunningham Pro Se